

S:\FILES\4729_AHAC-IROQUOIS\ECF\4729AHACANS1.DOC

KENNEDY LILLIS SCHMIDT & ENGLISH

Charles E. Schmidt (CS8669)

75 Maiden Lane – Suite 402

New York, N.Y. 10038-4816

Telephone: 212-430-0800

Telecopier: 212-430-0810

Attorneys for AMERICAN HOME ASSURANCE COMPANY

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IROQUOIS GAS TRANSMISSION SYSTEM L.P.,)

Plaintiff,)

- v. -)

ASSOCIATED ELECTRIC & GAS INSURANCE)
SERVICES LTD., Hamilton, Bermuda (AEGIS), and)
CERTAIN UNDERWRITERS AT LLOYD'S; AON)
RISK SERVICES OF TEXAS, INC.; and)
AMERICAN HOME ASSURANCE CO.,)

Defendants.)

05 Civ. 2149 (JSR)

**AFFIRMATION IN RESPONSE
TO CROSS-MOTION OF
IROQUOIS GAS TRANS-
MISSION SYSTEM L.P.**

STATE OF NEW YORK)

) ss:

COUNTY OF NEW YORK)

Charles E. Schmidt, affirms under penalties of perjury as follows:

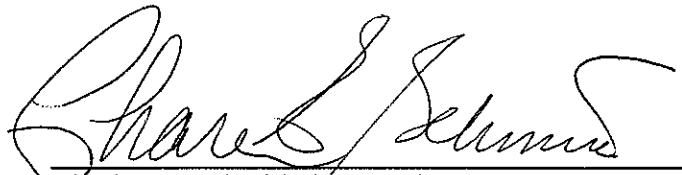
1. I am a member of the firm of Kennedy Lillis Schmidt & English, attorneys for defendant AMERICAN HOME ASSURANCE COMPANY ("AMERICAN HOME") herein. I make this affirmation in response to the cross-motion of IROQUOIS GAS TRANSMISSION SYSTEM L.P. ("IROQUOIS") for summary judgment against LLOYD'S herein.

2. I have had the opportunity to review and discuss with him the affidavit of John P. Vayda filed on behalf of co-defendant ASSOCIATED ELECTRIC & GAS INSURANCE SERVICES LTD. ("AEGIS") in response to the cross-motion of IROQUOIS herein.

3. For the reasons expressed therein, AMERICAN HOME joins AEGIS in requesting that if the Court determines that the subject matter of that cross-motion is not subject to the Court's stay, the Court deny IROQUOIS' cross-motion for summary judgment.

I affirm under penalties of perjury that the foregoing is true and correct. Executed at New York, New York, this 23rd day of September, 2005.

Dated: New York, New York
September 23, 2005

A handwritten signature in cursive script, appearing to read "Charles E. Schmidt", written over a horizontal line.

Charles E. Schmidt (CS8669)
75 Maiden Lane – Suite 402
New York, New York 10038-4816
Telephone: 212-430-0800